

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ZHE YANG,

Plaintiffs,

-against-

GREYHOUND LINES, INC.  
-----X

**NOTICE OF MOTION**

Docket No. : 07 CIV 6499

Upon the Affidavit of BRIAN J. DONNELLY, sworn to on the 21<sup>st</sup> day of March 2008, upon exhibits annexed thereto, and upon the accompanying Memorandum of Law, Defendant GREYHOUND LINES, INC., will move this Court at the United States Courthouse located at 500 Pearl Street, New York, New York before Judge Colleen McMahon on April 17, 2008 at 9:30 a.m., for an Order, pursuant to Fed. R. Civ. P. Section 41(b) for the following Order:

(a) granting Defendant's Motion to Dismiss pursuant to Fed. R. Civ. P. Section 41(b) dismissing Plaintiff's Complaint for failure to prosecute her claims;

(b) imposing sanctions on Plaintiff and Plaintiff's counsel pursuant to Fed. R. Civ. P. Section 37(b)(3) including, but not limited to directing Plaintiff and/or Plaintiff's counsel to pay the expenses and attorneys fees Defendant has incurred as a result of Plaintiff's failure to prosecute, including but not limited to the costs of filing the instant motion; and

(c) granting such other, further and different relief as this Court may deem just and proper.

Dated: New York, New York  
March 21, 2008

By: /s/  
BRIAN J. DONNELLY, ESQ. (BJD- 4759)  
AHMUTY, DEMERS & McMANUS, ESQS.  
Attorneys for Defendant  
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Our File No. : GRH0754N7BJD